

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

N.D., et al.,

Plaintiffs,

v.

CHRIS REYKDAL, et al.,

Defendants.

CASE NO. 2:22-cv-01621-LK

ORDER ON REMAND FROM THE
NINTH CIRCUIT COURT OF
APPEALS

This matter comes before the Court on an opinion from the Ninth Circuit Court of Appeals reversing and vacating this Court's order denying Plaintiffs' request for a preliminary injunction. Dkt. No. 75; *see also* Dkt. Nos. 58, 72. The Court seeks to facilitate an efficient and timely resolution of the pending issues while taking into account that the passage of time may have altered some facts and the contours of the relief sought.

Accordingly, the Court ORDERS the parties to file a joint status report that (1) proposes how the court should proceed in light of the Ninth Circuit's opinion, (2) proposes a preliminary injunction order consistent with that opinion, including the identity of the individual or the provisional class who should be subject to the preliminary injunction order, (3) provides an update

1 regarding the Rule 23(a) factors, including numerosity, for the provisional class if the relevant
2 facts have evolved since the prior briefing, and (4) addresses whether any party requests
3 supplemental briefing, and if so, the proposed topic(s), length, and timing of such briefing.¹ The
4 joint status report should also briefly address any pertinent timing and standing issues, including
5 when Plaintiff E.A. will turn 22 years old and whether he has received a regular high school
6 diploma. The report and proposed order are due no later than June 26, 2024.

7 Dated this 17th day of June, 2024.

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9 Lauren King
10 United States District Judge
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23 _____
24 ¹ Given the time sensitive nature of the issue, the Court anticipates that any supplemental briefing—if necessary—
would be filed on an expedited basis.